United Nations A/C.4/58/SR.19

General Assembly
Fifty-eighth session
Official Records

Distr.: General
2 November 2004
English
Original: Russian

Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 19th meeting
Held at Headquarters, New York, on Wednesday, 5 November 2003, at 10 a.m.

Chairman: Mr. Loedel ..... (Uruguay)

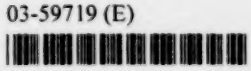
Contents

Agenda item 84: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

03-59719 (E)



The meeting was called to order at 10.20 a.m.

Agenda item 84: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/58/155, A/58/156, A/58/263, A/58/264, A/58/310, A/58/311)

1. **Mr. Mahendran** (Sri Lanka), Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introducing the report of the Special Committee (A/58/311), said that during the recently held tenth emergency special session of the General Assembly on illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, attention had been drawn to the severely deteriorating situation in those territories. Since the Special Committee's visit to Egypt, Jordan and the Syrian Arab Republic from 13 to 24 June 2003, the situation had become still worse. The visit had taken place a few days after the launching by the Quartet of the road map, which had to some degree provided the basis for a new path to peace. At that time, several officials whom the members of the Committee had met had expressed the view that sooner or later the trend of history would lead the Israeli and Palestinian peoples to live as neighbours within the borders of two internationally recognized States. Unfortunately, nothing good had come out of the efforts to enhance the road map process. On the contrary, the truce which had been agreed upon had been broken through a renewed cycle of violence by both parties, involving attacks, suicide bombings, helicopter raids and targeted killings, which had made many victims among innocent civilians, including women and children, as well as the destruction of infrastructure and basic facilities.

2. In its report, the Special Committee made clear that its attempts to establish a dialogue with the State of Israel had been unsuccessful. It also indicated that, in view of the gravity of the situation, the time had come for it to be allowed by the Israeli authorities to obtain access to the occupied territories and witness for itself the current situation of human rights, as well as to ascertain the views of the Government of Israel on those issues. However, the members of the Committee had been able to meet a number of Israeli nationals who had spoken of their commitment to work with the Palestinians.

3. The situation in relation to the increased military occupation of the Palestinian territories had been aggravated by the erection of the separation wall. According to Palestinian sources, its construction would entail the gradual annexation of about 55 per cent of the West Bank, its central, western and eastern sides, including the Jordan Valley, as well as major sources of water. The international community was witnessing the gradual annexation to Israel of large portions of Palestinian territory and the emergence of about 50 isolated pockets and islands, disrupting the territorial integrity of Palestine. The construction of the wall would mean that East Jerusalem would be cut off from key agricultural and industrial centres such as Qalqilya and Tulkarem. Owing to closures of roads, local curfews and the multiplication of mobile checkpoints, thousands of Palestinians were prevented from going to work, having access to health facilities or sending their children to school. Another side effect of the increased military occupation was the renewed campaign of destruction of houses and property undertaken by the Israeli forces. During the second Intifada, 3,000 homes in the occupied territories had been destroyed and a further 12,000 had been severely damaged. After the recent Rafah incident, Israeli forces using tanks and bulldozers had left about 120 houses destroyed and 1,500 Palestinians homeless.

4. As a result of the grave economic crisis in the occupied territories, more than 50 per cent of Palestinians were unemployed, and 60 per cent of the population of the West Bank and the Gaza Strip lived below the poverty line. The number of the poor had tripled, and now stood at almost 2 million. The crisis was also having severe effects on access to education facilities by children and students at all levels of education. The dramatic decline in the standard of living among Palestinians in the occupied territories was accompanied by increased malnutrition and worsened health conditions because people did not receive adequate medical treatment.

5. The Israeli forces were continuing to make arrests throughout the Occupied Palestinian Territory. About 5,200 Palestinians were currently being detained, some 800 to 1,200 of whom were being held without charge under military administrative orders, and their rights were being violated.

6. It was estimated that during the entire period of the Intifada, about 2,210 Palestinian civilians, including 422 children, had been killed by the

occupying forces, and 24,000 others had been injured, and that 10 journalists had been killed while carrying out their work.

7. A similar pattern of deterioration in the human rights situation, particularly in terms of education and employment, also affected the 50,000 Syrian Arabs living in the Occupied Syrian Golan, as well as approximately 500,000 other Syrians, many of whom were refugees from the occupied Golan.

8. The Special Committee therefore noted with regret that the human rights situation of the Palestinians and other Arabs in the occupied territories had deteriorated drastically during the period under consideration, as a result of the construction of the separation wall, the policy of building new Jewish settlements and the destruction of infrastructure, houses and property. As an occupying Power, Israel had the obligation to ensure that the current living conditions of the Palestinian people and other Arabs in the occupied territories did not provoke a major and irreversible humanitarian disaster.

9. In conclusion, the military occupation must be brought to an end through troop withdrawal; the construction of the separation wall must stop and the existing parts of the wall must be dismantled; the inalienable right of the Palestinians to a homeland must be recognized and due respect given to legitimate security concerns of the State of Israel; and the current cycle of violence, attacks, suicide bombings and reprisals by both parties must come to a complete halt. Moreover, both parties were strongly encouraged to return to the negotiating table and fully implement the road map. Recent efforts to develop alternative peace plans must be welcomed as well. In that arduous context, the Special Committee must continue its work so that the international community did not forget its responsibility to alleviate the plight of the Palestinians and other Arabs in the occupied territories.

10. **Ms. Abdelhady-Nasser** (Observer for Palestine) said that as the international community continued to witness the deterioration of the situation in the Occupied Palestinian Territory, including East Jerusalem, it had become ever more apparent that that critical issue had far-reaching political, humanitarian, social and economic consequences not only for the Palestinian people, but also for the entire Middle East region. The work of the Special Committee must be viewed as a relevant part of the international community's efforts to address that very serious issue. The Committee was to be commended for its work. Its report conveyed disturbing eyewitness accounts and assessments of the grave human rights situation resulting from the systematic violation of the rights of the civilian population by the occupying Power. Those accounts were confirmed by the recent report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967, which complemented the report of the Special Committee. For more than 36 years, Israel, the occupying Power, had humiliated, dispossessed, punished and oppressed Palestinians and treated them as an inferior people. It continued to commit grave breaches of international law, including international humanitarian and human rights law. It was also deliberately violating the provisions of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, Protocol I Additional to the Geneva Conventions, the Regulations annexed to the Hague Convention of 1907, the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, and other instruments of international law, including General Assembly and Security Council resolutions.

11. The suffering and hardships of the Palestinian people were not caused by some uncontrollable natural disaster, but rather by man-made disaster involving subjugation through a military occupation that, over the years, had been transformed into a most brutal form of colonization and controlled every aspect of the lives of the Palestinians. Frustration, pain, anger, exhaustion and desperation were driving some Palestinians to commit horrific acts of violence against civilians in Israel. Such acts were to be condemned, as they were morally wrong. It must be recognized, however, that the source of such actions was the Israeli occupation. The occupation could not justify such actions, but it could explain them. Only by understanding the root causes of such phenomena was it possible to find the necessary solution, which must be political and not military.

12. The Fourth Geneva Convention was applicable to all of the territory occupied by Israel since 1967, including East Jerusalem. That had been repeatedly

reaffirmed by the General Assembly and the Security Council and also by the Conference of High Contracting Parties. The Convention stipulated, inter alia, that protected persons were entitled to respect for their persons, their honour, their family rights and their religious convictions, and that they must at all times be humanely treated and protected against all acts of violence or threats thereof. It prohibited coercion and also murder, torture, corporal punishment, mutilation and any other measures of brutality against protected persons as well as collective penalties and all measures of intimidation or of terrorism and reprisals against protected persons and their property, transfers and deportations of such persons and the transfer of parts of the civilian population of the occupying Power into the territory that it occupied; and destruction by the occupying Power of real or personal property belonging individually or collectively to private persons. Israel, the occupying Power, had flagrantly violated and was continuing to violate all of those provisions, and also other fundamental norms and instruments of international law, and was committing war crimes against the Palestinian people, as defined in article 147 of the Fourth Geneva Convention, and breaches of international law, as specified in article 85 of Additional Protocol I.

13. Over the past three years of its military campaign, Israel, the occupying Power, had committed countless war crimes, acts of State terrorism and human rights violations. Using heavy and lethal weaponry, Israel had continued to attack Palestinian towns, villages and refugee camps, causing enormous human casualties. Since September 2000, as a result of those actions, over 2,600 Palestinians had been killed, many by extrajudicial execution. Such executions had been carried out during attacks on densely populated civilian areas, resulting in the killing and injury of many other civilians, including children.

14. The occupying Power had continued to detain and imprison thousands of people. Currently more than 6,000 Palestinians, including women and children, were being held in Israeli prisons in deplorable conditions with extremely restricted access to their families and legal representation. The occupying Power had also continued to destroy homes, shelters and property, as well as vital infrastructure including water and electricity networks and roads. Thousands of Palestinians had been dispossessed and displaced once again. As a result of the operation by the Israeli occupying forces in the Rafah refugee camp, hundreds of shelters had been destroyed and nearly 2,000 Palestinians had been made homeless.

15. Israel had also continued to establish illegal settlements in the Occupied Palestinian Territory, including the Occupied Syrian Golan. It had continued its practice of confiscating and annexing land for both the building and expansion of its settlements throughout the occupied territory and the building of its expansionist wall. That wall, which departed from the Armistice Line of 1949 (Green Line), cut deep into Palestinian land, and its construction, which should be viewed in the overall context of Israel's colonial settlement campaign, had involved the confiscation of thousands of dunums of Palestinian land, the exploitation and destruction of natural resources, including water, and the destruction of the livelihood of thousands of Palestinians. It had also caused the isolation of thousands of civilians and loss of access to agricultural land and water resources. The construction of the wall had compounded the already difficult situation with regard to freedom of movement because of the severe restrictions imposed by the occupying Power on the movement of persons and goods, including humanitarian goods, throughout the Occupied Palestinian Territory, including East Jerusalem. For prolonged periods, hundreds of thousands of Palestinians had been deprived of access to their work, schools, health facilities and even to food and clean water. Those restrictions had also had a detrimental impact on the delivery of emergency humanitarian relief to the Palestinians. The constant siege and restrictions had caused a severe economic decline, which had gravely impacted the social, education and health sectors.

16. Israel's illegal policies and practices had had a disastrous effect on the human rights situation of the Palestinian population. Israel, the occupying Power, must be held accountable for all those violations, crimes and atrocities against the Palestinian people. Moreover, it must be compelled to accept the de jure applicability of the Fourth Geneva Convention and comply fully with its provisions, and adhere as well to other relevant provisions and instruments of international law. Israeli compliance with international law, beginning with a complete cessation of the military campaign against the Palestinian people, would allow for the development of conditions that were truly conducive to a resumption of negotiations

between the parties with a view to ending the occupation and attaining a final settlement, and the role and support of the international community in that regard could not be overestimated.

17. **Mr. Mekdad** (Syrian Arab Republic) said that any attempts to weaken the role of the Special Committee would only encourage Israel to continue to deny the Palestinian people the exercise of their legitimate rights. The Special Committee had been in existence for 35 years, but Israel was still refusing to cooperate with it. That was not surprising, because Israel was continuing to pursue a policy of occupation of Arab lands and violation of human rights in the occupied territories, including the Syrian Golan, and to establish and expand illegal settlements, cynically exploiting their natural resources and gradually Judaizing the local population.

18. Nearly half a million Syrians in the occupied Golan were still awaiting an opportunity to return to their homes. As before, Israel was refusing to heed the voice of the international community and ignoring calls to put an end to its expansionist policy. Recently, it had unleashed a new campaign to increase the number of settlements in the Golan Heights, and had even established a committee to organize the construction of some 600 new residential units. A draft law had been submitted in the Knesset that would consolidate the occupation of the Golan Heights. Israel's leadership needed to understand that oppression could not last for ever; the occupied Golan was an integral part of the Syrian Arab Republic that would definitely be returned to it, regardless of the strength of the occupation.

19. The Special Committee's report included data about increased suffering of the population of the occupied territories, greater numbers of detainees in Israeli prisons, and harsher violation of human rights in those territories. Israel wanted to rewrite the entire history of the region and replace Arab curricula with Hebrew curricula with the purpose of depriving the Arabs of their culture and national identity. Because of the obstacles imposed by Israel, Syrians could not visit their homes and families or even participate in funerals of their relatives and friends. Israel was continuing to destroy the environment by uprooting trees, burning woodland and transferring fertile soil to Israeli settlements. It was not only using water resources for those settlements, but also exporting them, in violation of international law. It was continuing to pursue a policy of seizing land and suppressing fundamental freedoms in order to deArabize the Golan Heights.

20. The occupied territories were becoming true war zones in which thousands of Palestinian lives were being lost. The barbarous actions carried out by Israel undermined the efforts of the international community to achieve peace in the Middle East and led to increased tension in the region. In an attempt to divert attention from its failure to ensure domestic security, the Government of Israel was threatening to carry out further acts of aggression. His own Government was showing restraint, but at the same time it was ready to defend its territory. It must be recalled, however, that military force could not take the place of reason.

21. Some people of good will still hoped that the Government of Israel would agree to establish a comprehensive and just peace. Yet that Government was intensifying its policy of oppression of the Palestinian people, including the building of the separation wall in Palestinian territory. Notwithstanding Israel's failure to react to the Arab peace initiative, his Government once again stressed that a comprehensive and just peace must be based on the Madrid terms of reference, the principle of land for peace, and the relevant international resolutions.

22. **Mr. Issa** (Lebanon), expressing his gratitude to the Special Committee for its thorough report, said that he would like to know why the issue had to be discussed every year without the least sign of cooperation on the part of Israel. The only explanation was that Israel was continuing to occupy Arab territories and was not responding to the Arab Peace Initiative calling for the establishment of a just and comprehensive peace in the region.

23. Under that Initiative the inordinate resources expended for military purposes could be allocated to achieving development goals and ensuring a decent standard of living for all countries of the region. The Arab Peace Initiative offered Israel vast opportunities to enter a new era of relations with all Arab States, leaving the tragic past behind. Israel was responding to that Initiative, however, with further massacres and acts of brutality in the Palestinian territories, increased repression and the search for new means of destroying the civilian population. Nevertheless, his Government hoped that Israel would take the opportunity afforded it to pursue the path towards peace.

24. **Mr. Hassan** (Jordan), supporting the recommendations contained in the report, said that he did not agree that the Special Committee could be accused of bias. If Israel cooperated with it, that would allow the Special Committee to gain a fuller picture of the difficult situation that had arisen on the ground. However grim that picture might be, his Government was trying to remain hopeful and optimistic. The only solution to the conflict was the establishment of a just peace based on Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002), observance of the principle of land for peace and the implementation of the Arab Peace Initiative and road map for the Middle East. Since the parties were unable to settle the conflict on their own, there was a growing need for an honest broker, a role that the United States of America was playing with the support of the Quartet and the international community as a whole.

25. The Geneva accords showed the strong political commitment of the Palestinians and moderate Israelis to a two-State solution based on the framework for a Middle East peace put forward by the United States President. The road map still remained a very sound basis for a settlement of the conflict acceptable to all parties.

26. Unfortunately, through its practices, Israel was continuing to cause pain and suffering for the peoples of the region living under Israeli occupation. It was continuing to violate the fundamental human rights of the Palestinian people and its obligations under the Fourth Geneva Convention, to commit extrajudicial killings of Palestinians and to pursue its policy of building further settlements and imposing restrictions and blockades that exacerbated the already dire economic situation of the Palestinian people. Israel bore responsibility for its illegal actions, which infringed on the fundamental rights of the Palestinian people.

27. His Government called upon Israel to refrain from making threats against the Palestinian leadership and from building the separation wall, which was effectively prejudging the outcome of the final-status negotiations. Israel was responsible for the destruction not only of the infrastructure of the Palestinian Authority but also of Palestinian land, farms, refugee camps and water aquifers and the livelihoods of the Palestinian people. Israel's intensive security policies would never replace the political process in resolving the conflict. As with all forms of violence, such policies undermined trust and the prospects for peace. In that regard, his Government reiterated that the attacks by suicide killers not only jeopardized the Palestinian cause and disrupted the peace process but also caused the deaths of innocent civilians.

28. The new Prime Minister of Palestine needed the full support of the international community to tackle the security situation and implement the provisions of the road map. All sides must step up their efforts to move the political process forward. Israeli practices in the Syrian Golan were also violations of international law. Israel must refrain from measures involving further illegal settlement activity and the imposition of harsh economic restrictions on the Syrian population in that area. It was time for decisive, positive and progressive steps so that the road map might be used to move the peace process forward.

29. **Mr. Chowdhury** (Bangladesh) said that no other people on Earth had suffered as much or for as long as the Palestinians, who were subject to daily humiliation, deportation and systematic persecution by the Israeli authorities. Although General Assembly and Security Council resolutions had repeatedly reaffirmed the obligation of Israel to fulfil its responsibilities under the Fourth Geneva Convention, the Israeli authorities were continuing to trample upon the human rights of the Palestinians with impunity, thereby turning an already dire situation into a genuine humanitarian disaster.

30. Despite international condemnation, the Government of Israel was proceeding with the construction of a separation wall inside the Palestinian territories, in an attempt to predetermine the outcome of future negotiations on permanent status and undermine the vision of a viable Palestinian State. His delegation believed that the security wall and the building of settlements in the West Bank posed serious impediments to the achievement of a two-State solution. While Bangladesh recognized the right of all States in the region to live in security, it considered that Israel did not have the right to resort to the extrajudicial measures described in the Special Committee's report.

31. Bangladesh reiterated its total support for the legitimate and inalienable right of the Palestinian people to establish a sovereign and independent State and therefore demanded the full and immediate withdrawal of Israeli forces from the Palestinian self-

rule area and their return to the positions held prior to September 2000. His delegation believed that the best way to achieve security and stability for both Israelis and Palestinians was through the political process. Bangladesh called upon the Government of Israel to exercise restraint and to halt its current military actions so as to enable the Palestinian Authority to take the necessary steps. His delegation considered that the road map, if fully and fairly implemented, was the best way to reach a peaceful solution to the conflict.

32. **Mr. Al-Neaimi** (United Arab Emirates) said that the facts set forth in the Special Committee's report clearly demonstrated the aggressive policy pursued by Israel in the Occupied Palestinian Territory. Israel's construction of the separation wall amounted to forced annexation of land and violated the territorial integrity of Palestine. In the Syrian Golan, the Arab population was subjected to humiliation and socio-economic oppression, and Israel's construction of increasing numbers of settlements was aimed at Judaizing all aspects of life in that area. It could only be imagined how much longer the list of Israel's crimes reflected in the Special Committee's report would be if Israel allowed the Special Committee to visit the occupied territories.

33. The United Arab Emirates reiterated its solidarity with the Palestinian people and the Arab population of the Syrian Golan and called upon the international community to use all possible means to achieve an end to Israeli aggression. It demanded that Israelis who had committed war crimes against Palestinians should be brought to international justice. Furthermore, his delegation demanded that Israel should implement all resolutions relating to the principle of land for peace, resume the peace process and liberate all occupied Palestinian and Arab lands.

34. **Mr. Baaziz** (Algeria) commended the objectivity and clarity of the Special Committee's report and expressed appreciation to the Permanent Representative of Malaysia to the United Nations and the Permanent Representative of Senegal to the United Nations at Geneva for their dedication to the just cause of the Arab people living under Israeli occupation. The Special Committee, which was still the only body entrusted with the task of unmasking Israel's crimes and inhumane practices in the occupied Arab territories, must continue to fulfil its mandate with the support of the international community, despite Israel's systematic refusal to accord members of the Special Committee access to the occupied territories, until Israel's occupation of Arab lands and flagrant violations of human rights came to an end.

35. The information in the report confirmed once again that over the past year the human rights situation in the Occupied Palestinian Territory had further deteriorated as a result of Israeli military incursions into Palestinian towns and other Israeli actions against the Palestinians, which amounted to a policy of apartheid on the part of the occupying Power. The brutal Israeli military campaign against the Palestinian people and the Palestinian Authority had had extremely grave consequences for the situation of the Palestinians and led to a new spiral of violence. As a result of the actions of the Israeli occupying forces during the reporting period, a significant part of the infrastructure and dwellings in the Occupied Palestinian Territory had been destroyed, there had been encroachments on agricultural land, and severe restrictions had been imposed on the freedom of movement of goods and persons, including international humanitarian personnel, which had had grave humanitarian consequences and also directly affected the situation of the Palestinian refugees and the delivery of basic services and humanitarian assistance to refugees by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The international community should demand that Israel allow the unimpeded exercise of the Agency's mandate and comply with its obligations under the 1946 Convention on the Privileges and Immunities of the United Nations.

36. The law on citizenship and entry into Israel adopted in July 2003, which was a form of racial discrimination and had already affected a large number of families and marriages, was a source of deep concern to the international community. The Committee on the Elimination of Racial Discrimination had called upon Israel to revoke that law.

37. His delegation condemned Israel's settlement activities; Israel had illegally transferred over 400,000 Israeli settlers into the Occupied Palestinian Territory in over 200 settlements taking up over 8 per cent of the total area of Palestinian land. That illegal settlement campaign and the confiscation of Palestinian lands had given rise to numerous violations of international law and international humanitarian law.

38. The construction of the separation wall in the Occupied Palestinian Territory was another Israeli war crime against the Palestinian people which amounted to a crime against humanity, since it was depriving thousands of Palestinian civilians of their livelihood and causing the illegal and de facto annexation of vast areas of occupied Palestinian land, thereby threatening to further impoverish and isolate refugee families and destroy the territorial integrity of the Palestinian territory; it also posed a direct threat to peace and would eliminate the chances of establishing an independent Palestinian State in the future. In that connection, he cited the report of the Special Rapporteur of the Commission on Human Rights (E/CN.4/2004/6, para. 14), in which the Special Rapporteur referred to the construction of the wall as having the effect of annexation, which went by another name in international law — conquest, and also noted that the construction of the wall seriously interfered with the right to self-determination of the Palestinian people. His delegation called upon Israel to stop work on construction of the wall immediately and dismantle the part that had already been built, and thus comply with the demand made by the General Assembly at its resumed tenth special session.

39. Israel attempted to justify its occupation of Palestinian and Syrian territories under the pretext of self-defence, but its actions constituted flagrant violations of human rights and undermined all the hopes of the international community and its efforts to establish a just and comprehensive peace in the Middle East. Israel had ignored hundreds of United Nations resolutions. The way to peace lay through the implementation of Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002), and the application of the principle of land for peace.

40. **Mr. Aboul Atta** (Egypt) said that despite the difficulties encountered by the Special Committee because of the refusal by the Israeli authorities to allow it to visit the occupied territories, that Committee had used various sources of information, which had enabled it to prepare a comprehensive and objective report. The facts assembled in the report demonstrated Israel's failure to respect the basic rights of the Arabs living in the occupied territories, in violation of the provisions of all international human rights instruments. First, under the pretext of self-defence and ensuring its own security, Israel had begun to build a separation wall beyond the limits of the 1949 demarcation line, the true goal of which was to isolate the Palestinian people and pave the way for the complete undermining of their political and socio-economic unity; the construction of the wall had already led to the separation of a large number of Palestinian families and the confiscation of Palestinian agricultural land. Second, the occupying Power, in violation of the principles of the Universal Declaration of Human Rights, was continuing to restrict the freedom of movement and the security of the Palestinians and their access to education and medical care. Third, Israel was increasingly resorting to the tactic of destroying Palestinian economic infrastructure and dwellings. According to official figures, 241 Palestinian homes had been destroyed in the Golan Heights and the Gaza Strip during the reporting period, but, according to more accurate calculations, over 3,000 homes had been destroyed and over 12,000 seriously damaged. Fourth, Israel was continuing to pursue a policy aimed at modifying the geographical, socio-economic and legal character of the Syrian Golan, in violation of the provisions of Security Council resolution 497 (1981), inter alia through the granting of loans to settlers living in the Golan. It was widely recognized that the policy of oppression, violence and confiscation pursued by Israel against the Palestinians would only aggravate the situation and would lead to even greater destruction. As long as Israel continued that policy, despite the appeals made to it by the entire international community to abide by the norms of international law and live side by side with the Arab peoples under conditions of peace and security, the true situation would remain unchanged.

41. **Mr. Mollahosseini** (Islamic Republic of Iran) expressed appreciation for the work of the Special Committee and said that the past three years of the Israeli military campaign against the Palestinian people had been the most horrific and destructive in the history of Israeli occupation of Palestinian territory. As a result of Israeli actions and regular incursions into Palestinian towns and villages, the human rights situation in the Occupied Palestinian Territory had dramatically deteriorated and thousands of Palestinians had been killed or wounded. Furthermore, in September 2003 the Israeli security cabinet had taken a decision to remove Mr. Arafat, who had been confined to his residence in Ramallah. The building of the separation wall was a new means for Israel to achieve its goal of depriving the Palestinians of their legitimate right to establish their own State. The construction of

the wall and the annexation of Palestinian land were having a serious impact on all aspects of the Palestinian question and on the socio-economic situation of the Palestinians living in 67 towns and villages. Moreover, the construction of the wall was accompanied by increased illegal settlement-building. The decision to build the wall and establish new settlements was further proof that the Israeli regime had never really wanted peace and was trying to draw borders arbitrarily and to sabotage all efforts to establish a viable Palestinian State. Israel's continuation of its policy of territorial expansion was also in flagrant violation of the Fourth Geneva Convention and undermined and discredited the road map and the efforts of its sponsors.

42. The international community as a whole and the United Nations in particular must focus their efforts on putting an end to the inhumane practices of the Israeli regime, protecting Palestinian civilians living in the Occupied Palestinian Territory, bringing an end to Israeli occupation, ensuring full compliance by the occupying Power with the Fourth Geneva Convention in the Occupied Palestinian Territory and ensuring access to the occupied territories for members of the Special Committee. In conclusion, he stressed the need for continuation of the work of the Special Committee as an integral part of the United Nations so that Israeli practices affecting the human rights of the Palestinian people and other Arabs of the occupied territories could be systematically investigated and brought to the attention of United Nations Member States.

43. **Mr. Budiman** (Indonesia) said that, despite the refusal of the Israeli authorities to allow it access to the occupied territories, the Special Committee was continuing to provide Member States with periodic and other reports, without which it would be impossible to gain an idea of the human rights situation in that area. The Special Committee's latest report confirmed that the situation in the Occupied Palestinian Territory had deteriorated considerably since the beginning of Israel's military incursions. It was significant that most representatives of United Nations bodies interviewed by the Special Committee had expressed the view that the Occupied Palestinian Territory and the Gaza Strip were on the verge of a major humanitarian collapse.

44. Through its refusal to recognize the applicability of the provisions of the Fourth Geneva Convention to the Occupied Palestinian Territory and to distinguish between military objectives and civilian objects and persons, Israel was undermining the multilateral process. In that connection, his delegation supported the Special Committee's recommendation that the General Assembly should request the High Contracting Parties to the Fourth Geneva Convention to take concrete measures to ensure Israel's respect for the Convention. Indonesia also supported the recommendation to establish a mechanism for a full investigation into alleged breaches of human rights and humanitarian law. Pressure must be exerted on the Government of Israel to allow the Special Committee access to the occupied territories in order to assess the current human rights situation and obtain the views of the Israeli Government itself on those issues.

45. **Mr. Kabtani** (Tunisia) said that consideration of the report of the Special Committee had particular significance since it was taking place at a critical juncture for the situation in the occupied territories and in the Middle East. That was a direct consequence of the escalation of Israel's actions, which jeopardized the possibility of achieving a peaceful settlement. The report gave many examples of Israel's violation of the human rights of the Palestinians and other Arabs in the occupied territories and the continuing pursuit by the occupying Power of a policy of settlement building, territorial closures, targeted killings, demolition of homes, destruction of public institutions and arbitrary arrests, notwithstanding the agreements signed in the context of the Middle East peace process. The building of the separation wall was accompanied by further confiscation of Palestinian land and restriction of the freedom of movement of Palestinians; it had been condemned by the United Nations and the international community as a flagrant violation of the Fourth Geneva Convention and the provisions of the road map, which embodied the vision of coexistence in two States.

46. Attempts to present the Palestinian people with an accomplished fact could intensify feelings of disillusionment and despair among the Palestinians, and Israeli actions such as those described in the report could create a serious threat to the peace process, in which the international community placed great hopes. The serious deterioration of the situation in the occupied territories required urgent intervention by the international community to ensure the unconditional withdrawal of Israeli forces from the occupied territories and dispel the tension which was a consequence of the occupation and the building of settlements. In that connection, he recalled the appeal

made by the President of Tunisia at the Arab summit meeting in Cairo in October 2000 to deploy disengagement forces and international observers to ensure the protection of the Palestinian people.

47. The Special Committee's work was of great importance and would remain vital until such time as Israel's occupation and illegal actions came to an end.

48. **Mr. Al-Hamar** (Qatar) said that for more than three years, the world had witnessed Israel's barbaric campaign against the defenceless Palestinian people. The international community must take urgent action to ensure respect for the norms of international and humanitarian law, Security Council and General Assembly resolutions and the provisions of the Fourth Geneva Convention, of 1949, which Israel was grossly flouting. The Palestinian people had a legitimate right to resist the occupation, which had deprived them of their lands and condemned them to exile.

49. It was clear from the Special Committee's report that the situation in the occupied territories and the Gaza Strip as a result of Israel's actions was on the brink of a humanitarian catastrophe: over 60 per cent of the Palestinian population was living below the poverty line, and because it was impossible to earn a living, dependence on food aid was continuing to increase. The international community, and in the first place the United States of America, as the sponsor of the peace process, must ensure the protection of the Palestinian people from the Israeli military machine. That should be a prerequisite for the resumption of the peace process on the basis of Security Council resolutions 242 (1967) and 338 (1973), General Assembly resolution 194 (III) of 11 December 1948 and the principle of land for peace.

50. Israel must fulfil its obligations and withdraw from the territories occupied since 1967, including the Golan and Lebanese territory, remove illegal settlements and resolve the problem of refugees by recognizing their right of return and their right to establish an independent State with its capital in Jerusalem.

51. **Mr. Gilman** (United States of America) said that it was his delegation's view that the resolutions under agenda item 84 did not further the goal of promoting peace and security in the Middle East. In view of the skewed mandate of the Special Committee, which did not consider the human rights abuses committed by the Palestinian Authority or other entities, his delegation's goal was to see that Committee eliminated.

52. The Special Committee's reports served only to isolate Israel, which exacerbated the conflict. Moreover, there was a Geneva-based rapporteur who had the same mandate, and that redundancy resulted in a waste of valuable United Nations funds.

53. It was regrettable that year after year since 1968, the Committee had endorsed the same set of resolutions, which did nothing to improve the situation on the ground and only further damaged the level of trust between the parties. Streamlining all the Committee's agenda items and the resolutions that fell under them should be a goal for those who sought revitalization of the work of the General Assembly.

54. The United States, along with its Quartet partners, remained committed to achieving President Bush's vision of two States, Israel and Palestine, living side by side in peace and security. However, the numerous one-sided anti-Israeli resolutions adopted every year by the General Assembly only reinforced old divisions. Furthermore, they were inconsistent with United Nations support for the Quartet countries' efforts to achieve a just and durable two-State solution to the Arab-Israeli conflict.

55. **Mr. Rahamtalla** (Sudan) said that Israel's violations of the rights of the Palestinians, which took the form of restrictions on freedom of movement through checkpoints, curfews and other measures which impeded normal activity, must be brought to an end. Israel was also violating the right to freedom of religion and association and ignoring the Palestinians' right to life by bombing population centres from the air and applying massive force against unarmed Palestinian civilians.

56. His delegation was also concerned that Israel was ignoring the will of the international community and international legality by undermining the peace process in the region. Peace in the Middle East could be achieved only through the establishment of a viable Palestinian State in the territorie of the West Bank and Gaza, with its capital in Jerusalem, which would become a reality if the international community forced Israel to put an end to the occupation.

The meeting rose at 12.25 p.m.